

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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|--------------------------------------|---|---------------------------------|
| <b>UNITED STATES OF AMERICA</b>      | : |                                 |
|                                      | : |                                 |
| <b>Plaintiff,</b>                    | : |                                 |
|                                      | : |                                 |
| <b>v.</b>                            | : | <b>Civil Action No. 08-4711</b> |
|                                      | : |                                 |
| <b>HOME CARE HOSPICE, INC.,</b>      | : |                                 |
| <b>ALEX PUGMAN, MATVEI KOLODESH,</b> | : |                                 |
| <b>MALVINA YAKOBASHVILI AND</b>      | : |                                 |
| <b>SVETLANA GANETSKY</b>             | : |                                 |
|                                      | : |                                 |
| <b>Defendants.</b>                   | : |                                 |
|                                      | : |                                 |

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**JOINT STIPULATION THAT DEFENDANTS KOLODESH AND YAKOBASHVILI'S  
PENDING MOTIONS (DKT. NOS. 75-77) ARE MOOT**

1. In 2008, the Court restrained defendants' financial accounts pursuant to the Anti-Fraud Injunction Statute, 18 U.S.C. § 1345.
2. In 2017, the United States resolved its civil claims against the individual defendants Matthew Kolodesh and Malvina Yakobashvili by reaching a civil settlement agreement in a related *qui tam* action, United States ex rel. Fox and Gonzalez v. HCH, et al., 06cv4679 (E.D. Pa.) (Pratter, J.) (the *qui tam* action). Under the terms of the civil settlement in the *qui tam* action, the defendants Kolodesh and Yakobashvili agreed to release and transfer to the United States all assets restrained by this Court in this action – whether held or controlled by them as individuals or through entities that they individually or jointly controlled.
3. On June 30, 2021, defendants Kolodesh and Yakobashvili filed a pleading entitled a Motion to Enforce the Settlement Agreement (Dkt. No. 75). Subsequently, on July 21, 20201, defendants Kolodesh and Yakobashvili filed a motion to stay the performance of the settlement agreement (i.e., a payment required under that agreement) (*see* Dkt. No. 76) and a motion to

expedite the motion for a stay (*see* Dkt. No. 77) (collectively, the “Pending Motions”). The Pending Motion are identical to motions filed in the *qui tam* action before Judge Pratter. *See United States ex rel. Fox and Gonzalez v. HCH, et al.*, 06cv4679 (E.D. Pa.) Dkt. Nos. 135, 140 and 141.

4. In the *qui tam* action, Judge Pratter referred the above motions to Magistrate Judge Rice. On July 21, 2021, Magistrate Judge Rice issued an order denying all three of defendants Kolodesh and Yakobashvili’s motions. *See id.* Dkt. No. 142.

5. The parties agree that Magistrate Judge Rice’s July 21, 2021 Order renders the Pending Motions in this action – Docket Nos. 75, 76 and 77 – moot. Accordingly, the Pending Motions may be denied as moot.

Dated: August 31, 2021

Respectfully submitted,

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*Attorneys for the United States of America*

**SO ORDERED:**

Dated:

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**TIMOTHY J. SAVAGE, J.**

**CERTIFICATE OF SERVICE**

I hereby certify that on this date I caused a true and correct copy of the above Joint Stipulation to be served via first class mail, postage prepaid, upon:

Steven F. Marino, Esq.  
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*Attorneys for non-party Relators Maureen Fox and Cathy Gonzalez*

To be served via ECF and email upon:

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Dated: August 31, 2021

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